

Congress of the United States
Washington, DC 20515

November 16, 2022

The Honorable Xavier Becerra
Secretary
Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

The Honorable Carole Johnson
Administrator
Health Resources and Services Administration
5600 Fishers Lane
Rockville, MD 20852

Dear Secretary Becerra and Administrator Johnson,

As you must know, it has been reported that no Covid-19 countermeasures injury table has been established to date. This failure on the part of the Health Resources and Services Administration (HRSA) is deeply concerning to many Members of Congress and the American citizens they represent. The way it currently stands, this shifts the burden of proof to demonstrate injury or death as a result of a Covid-19 vaccine under the Countermeasures Injury Compensation Program (CICP) onto the aggrieved individuals for even injuries federal health authorities have already acknowledged are caused by these products, and not onto the government, where it ethically belongs.

The PREP Act declares that “[t]he Secretary shall by regulation establish a table identifying covered injuries that shall be presumed to be directly caused by the administration or use of a covered countermeasure and the time period in which the first symptom or manifestation of onset of each such adverse effect must manifest in order for such presumption to apply.” See 42 U.S.C. § 247d-6e(b)(5).

Without a Covid-19 vaccine injury table to provide the standard of proof in determining compensation, an unacceptable and unlawful additional burden is heaped onto those who have cause to believe that they have been injured or suffered the loss of a loved one on account of a Covid-19 vaccine. Such individuals are already likely to be in a vulnerable place, physically and emotionally, while navigating the already difficult terms of a bureaucratic program with just one year to do so. It seems unthinkable that HRSA would deem this additional burden resulting from its own failure to produce a vaccine injury table acceptable or just. A reasonable person or entity can only conclude that the liability should be on the drug manufacturers and not on the very taxpayers who have been harmed by the manufacturers’ product, considering it is the manufacturers that have the greater knowledge of the potential adverse effects and their profits have been so exceedingly dramatic.

Due to our great concern for those injured or suffering the aftermath of an untimely death on account of a Covid-19 vaccine and HRSA's lack of clarity to date regarding this serious issue, we are requesting the following information:

- Whether or not HRSA plans to establish a vaccine injury table for Covid-19;
- In the event that HRSA plans to establish a vaccine injury table for Covid-19 the precise status of a vaccine injury table for Covid-19 and when such table can be expected;
- What injuries will appear on the table as "table injuries" and how and by whom those are being selected for inclusion on the table;
- In the event that HRSA has no immediate plans to establish a vaccine injury table for Covid-19, a justification as to why such a posture is deemed acceptable by HRSA;
- Whether or not HRSA is using the Smallpox Vaccine Injury Table (that was published in the Federal Register on August 16, 2021) to measure and determine requests for benefits resulting from a Covid-19 vaccine and, if so, a justification for its use for such requests for benefits.

Given the risk that so many of our nation's citizens have had to assume on account of Covid-19 and its related novel injections – oftentimes imposed on them through heavy-handed governmental mandates and coercion – we sincerely hope that you will understand the urgency of this request for information and respond in detail to each of them urgently.

We look forward to your prompt response and gaining much-needed clarity on this issue which has serious implications for the lives, health and wellbeing of the citizens we all swore an oath to serve.

Sincerely,



Louie Gohmert
Member of Congress



Bill Posey
Member of Congress



Mary E. Miller
Member of Congress



W. Gregory Steube
Member of Congress

Randy K. Weber

Randy K. Weber
Member of Congress